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## NOTICE OF ADMINISTRATIVE DECISION and DETERMINATION OF NONSIGNIFICANCE (DNS)

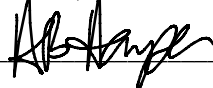
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The City of Bainbridge Island has made a decision concerning the following land use application:

**Date of Issuance:** May 18, 2023  
**Project Name & Number:** Carter PLN50831B SPT  
**Project Type:** Preliminary Short Plat  
**Owner:** WILLIAM & TATIANA CARTER  
**Project Site & Tax Parcel:** 14630 SIVERTSON RD NE, TA# 33260240672007  
**Project Description:** Preliminary subdivision of a 2.1 acre lot into two lots.  
**Permit Decision:** The application is **approved**. The staff report, containing the statement of facts upon which the decision, including conditions, is based and the conclusions of law derived from those facts, is available to the public upon request.

**SEPA Determination:** The City of Bainbridge Island (lead agency) has determined that the proposal does not have a probable significant impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This determination was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

**Responsible Official:** HB Harper, Acting Planning Director  
City of Bainbridge Island  
**Address:** Department of Planning and Community Development  
280 Madison Avenue North  
Bainbridge Island, WA 98110 (206) 842 - 2552

Signature:  Date: 5/18/23

**Appeal Procedure:** This administrative decision and/or SEPA determination may be appealed by filing a written appeal and paying a \$530.00 filing fee to the City Clerk at 280 Madison Avenue North, Bainbridge Island, WA 98110, in accordance with the procedures set forth in the Bainbridge Island Municipal Code, Section 2.16.020.R and/or 16.04.170. An appeal must be filed **no later than 4:00 p.m., Thursday, June 1, 2023**. You should be prepared to make specific factual objections.

**If you have any questions, contact:**  
**Kelly Tayara, Senior Planner**  
City of Bainbridge Island  
280 Madison Ave N  
Bainbridge Island, WA 98110  
[ktayara@bainbridgewa.gov](mailto:ktayara@bainbridgewa.gov) or 206-780-3787

## Project Conditions

1. The applicant shall submit with final plat application a recorded Boundary Line Adjustment (City File No. PLN50831B BLA) which is approved by the City and is substantially in agreement with the property lines in the revised preliminary plat drawings submitted to the City on March 14, 2023 and is in substantial conformance with the Carter short plat approved in 2006 (City File No. FSPT13169) and contains not less than one acre of land for each resultant lot. Final short plat application shall be incomplete without the recorded BLA.
2. Plans submitted for construction shall substantially comply with the plans approved through this land use permit.
3. Prior to any construction, the applicant shall obtain the appropriate permits from the City of Bainbridge Island, including but not limited to clearing, grading, and/or building permits.
4. If any historical or archaeological artifacts are uncovered during excavation or construction, work shall immediately stop and the Department of Planning and Community Development and the Washington State Office of Archaeology and Historic Preservation shall be immediately notified. Construction shall only continue thereafter in compliance with the applicable provisions of law.
5. The interior of wetland buffers, the increased buffer area in its entirety, the interior northern open space, and the interior landscape perimeter buffer along the southwest property line shall be temporarily fenced or otherwise suitably marked prior to construction activity. Fences shall be made of a durable protective barrier and shall be highly visible. Temporary fencing shall be removed after the sitework has been completed and the site is fully stabilized per City approval.
6. The applicant shall provide a buffer enhancement plan prepared by a qualified professional that meets the requirements of BIMC [16.20.180](#) with Final Plat application, to the satisfaction of the Department of Planning and Community Development. The plan shall include specific mitigation provisions for the new driveway on Lot 1.
7. All native vegetation within the increased wetland buffer area shall be maintained in perpetuity, except as provided for hazard tree removal in the Municipal Code.
8. The lot coverage allocation shall be listed on the final short plat. The available lot coverage for the subject property is 19,252 square feet. Lot coverage shall be allocated proportionally by either resultant lot size or homesite area.
9. Sight-obscuring fencing is prohibited at the subdivision exterior boundary.
10. No structures, buildings, or parking facilities may be located within perimeter buffers provided, utility lines and trails may be located within buffers if no significant trees are removed.
11. Existing vegetation, including significant trees and tree stands, shall be preserved within the perimeter buffer. The perimeter landscape buffer shall be maintained as a “no cut/no build zone” except as provided in the Municipal Code (e.g. for utility line installation, hazard tree removal).
  - A. The perimeter buffer is subject to tree retention, protection, and replacement requirements of BIMC 18.15.010.C.
  - B. If existing vegetation is disturbed, replanting shall be to the full-screen standards of BIMC 18.15.010.D.4.a.

12. All activities shall comply with Puget Sound Clean Air Agency (PSCAA) regulations.
13. The project shall comply with the following conditions to the satisfaction of the Fire Marshal, provided:  
**These conditions apply only on the subject property.**
  - A. Any future development shall comply with all provisions of the adopted Fire Code.
  - B. Fire Department access to the resultant parcels shall not be restricted in any way and shall comply with approved road standards.
  - C. Private fire apparatus access roads shall be not less than 12' wide drivable surface with 13.5 feet overhead clearance. Dead ends greater than 150' require approved turnarounds.
  - D. The grade of existing private fire apparatus access roads shall not exceed 12%. Private fire apparatus access roads where grades are greater than 12% but not exceeding 15% shall be paved, or in lieu of paving, shall have an automatic fire sprinkler system installed in any new structure. Grades exceeding 15% will require the fire apparatus access road to be paved, all new structures to be equipped with automatic fire sprinkler systems, and special approval by the fire code official.
  - E. The following note shall be on the face of the final short plat: "Residential Fire Sprinklers, a fire hydrant, or NFPA 1142 may be required to meet fire flow for future development."
14. The project shall comply with the following conditions to the satisfaction of the City Engineer, provided:  
**These conditions apply only on the subject property.**
  - A. Every lot corner shall be staked by a three-quarter-inch galvanized iron pipe or equivalent approved by the City, driven into the ground and marked or tagged with the certificate number of the surveyor setting said monument. The position and type of every permanent monument shall be noted on the plat. Perimeter and public street monuments (if required) shall be twenty-four inches long, set in concrete, or shall be constructed of an equivalent approved by the City.
  - B. Consistent with BIMC 12.30.010, no building permit, subdivision, short subdivision, or planned unit development shall be approved or granted until the owner of the affected property dedicates to the city the portion of land designated on the official street map or required by the COBI Design and Construction Standards and Specifications, ("the Standards"), as a street ROW. As an additional 20ft has been shown as "Reserved for Public Road" no additional ROW dedication is required.
  - C. The resultant north lot shall be accessed directly from Sivertson Rd. NE while the resultant south lot shall be accessed through an existing shared private driveway on the northeast side of the property. Proposed 2 lot short subdivision requires no further civil improvements that will serve all resultant lots, no Plat Utility permit is required prior to final plat application. However, additional civil improvements may be required by other authorities (including but not limited to Bainbridge Island Fire Department). These improvements will still be subject to SWMMWW requirements per BIMC 15.20.
  - D. The resultant lots shall be expected to participate in any road maintenance agreements (RMA) for Sivertson Road NE and/or the private egress which will provide access to Lot 2. If such an agreement exists, any required revision to the RMA for any resultant lots benefitting from the shared ingress, egress and utilities easement shall be recorded in conjunction with the final short plat. Maintenance of the private road shall be the responsibility of the owners and not the City.
  - E. Access to proposed Lot 2 shall established with an easement road and fire turnouts spaced every 300 feet, unless otherwise approved by the Bainbridge Island Fire District.
  - F. Mailbox locations, relocations, and clustering shall be approved by the local postmaster and shall conform to the Standards for mailbox placement per standard drawings DWG. 8-220, DWG. 8-230,

DWG. 8-240, and DWG. 8-250. Mailbox relocations shall be the financial responsibility of the developer if required.

- G. A traffic study sufficient for the City engineer to perform a concurrency test shall not be required per Chapter 15.40 of the Bainbridge Island Municipal Code (BIMC). Review of single-family residential developments in the Institute of Traffic Engineers (ITE) Trip Generation Manual, 7th Edition, indicates trip generation will be below the threshold of 50 average daily trips (ADT) or 5 or more AM or PM peak-hour trips. [BIMC §15.40.060] Future development on proposed undeveloped lot will be subject to Transportation Impact Fees [BIMC 15.30] per the COBI fee schedule in effect at the time of permit issuance. Fees shall be due in full at the time of building permit issuance.
- H. As proposed the new plus replaced hard surface areas exceed 5000SF and a final stormwater report shall be submitted with the final plat detailing compliance with all applicable minimum requirements (MR1-9) as required by BIMC 15.20.
- I. A Stormwater Pollution Prevention Plan (SWPPP) is required prior to construction activities including clearing or grading or civil improvements. Stormwater quality treatment, erosion and sedimentation control shall be designed in accordance with BIMC 15.20. The submittal documents shall be prepared by a civil engineer licensed in the State of Washington.
- J. Review of the preliminary stormwater report indicated the following minimum requirements have not been fully addressed and will need to be satisfied in the final stormwater report:
- MR #5 – Splashblock dispersion BMPs must maintain a vegetated flow path of at least 50 feet between the discharge point and any slope steeper than 15% per the 2019 SWMMWW.
  - MR #7 – The preliminary stormwater site plan references the use of full dispersion to meet the Minimum Requirement #7 (Flow Control) of the 2019 SWMMWW. Stormwater BMPs shall comply with all flow path and setback requirements found in the 2019 SWMMWW and KPHD 2008a.
  - MR #9 – An Operations and Maintenance Manual shall be provided prior to issuance of any building permits.
- K. All on-site stormwater facilities shall remain privately owned and maintained. The owner(s) shall be responsible for maintenance of the storm drainage facilities for this development following construction. Annual inspection and maintenance reports shall be provided to the City. A Declaration of Covenant for stormwater system operation and maintenance will be required to be recorded before final plat submittal unless otherwise waived by COBI Engineering. The approved language for the Declaration of Covenant is found in BIMC Chapter 15.21, Exhibit A.
- L. The following condition shall be recorded on the face of the plat referencing the stormwater plan and report that are submitted with the final plat: The final stormwater plan and report prepared by [Engineer], dated [date] demonstrate compliance with the applicable stormwater minimum requirements, MR 1-9, and any future development shall be in substantial conformance with the aforementioned stormwater plan and report. If future development on any of the subject lots does not substantially conform with the final stormwater plan and report, a new stormwater plan and report shall be prepared by a professional engineer licensed in the State of Washington that demonstrates compliance with MR 1-9 for all subject lots collectively regardless of their state of development.
- M. No construction on or to the site may take place until civil improvement plans have been reviewed and approved by the City as part of a construction permit to include but not limited to Building, Grade and Fill, or Right of Way Use permits.
15. The following conditions shall be listed on the final short plat: Conditions 2 – 5, 7, 9 – 12, and applicable portions of 13 and 14.